

ROBERT PREVITO, ESQ.  
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Attorney for Plaintiff  
HOSEA JOHNSON

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
HOSEA JOHNSON,	:
	:
Plaintiff,	:
	:
- against -	:
	:
EREDI PISANO USA, INC.,	:
	:
Defendant.	:
-----X	

08 Civ. 2021 (AKH)

**PLAINTIFF'S INITIAL  
DISCLOSURES UNDER RULE 26**

Plaintiff HOSEA JOHNSON, by his undersigned counsel, as and for his initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1), based upon the presently available information, states the following:

(Note: Plaintiff reserves the right to amend and supplement these disclosures as and if new information on individuals and/or documents should come to its knowledge.)

1. Pursuant to Fed. R. Civ. P. 26(a)(1)(A), Plaintiff names the following individuals as possessing information which may be relevant to this case, and whom Plaintiff may call as witnesses to support its claims, and/or counterclaims at trial, concerning:

- a. The photographic services performed by Hosea Johnson on March 7, 2005, the parties and circumstances involved, and the resulting photographic images generated therefrom.
- b. The unauthorized use and copyright infringement by defendant Eredi Pisano

USA, Inc. of photographic images owned, created, and originated by Hosea Johnson on or about March 7, 2005, and the unauthorized publication, reproduction and dissemination of the same to the public for marketing purposes by the defendant without remuneration to, and to defraud, the plaintiff.

- I. HOSEA JOHNSON, Plaintiff and Photographer.  
132 West 129<sup>th</sup> Street, Apt. 2-E  
New York, New York 10022
- II. EREDI PISANO USA, INC.  
520 Madison Avenue  
New York, New York 10022
- III. CHRIS DORM  
584 Halsey Avenue  
Brooklyn, New York 11233

2. Pursuant to Fed. Civ. P. 26(a)(1)(b), plaintiff identifies the following categories of documents which it may use to support its defenses, affirmative defenses, and counterclaims:

a. Documents constituting and/or referring to photographic images taken by Hosea Johnson on or about March 7, 2005, the copyright registration thereof, and the photo shoot which resulted in the creation of those photographic images.

b. A computer disc e.g. ("DVD") issued by Eredi Pisano USA, Inc. for marketing purposes entitled "Eredi Pisano Spring/Summer 2005," containing photographic images owned and created by Hosea Johnson, and any other promotional, marketing or advertising materials issued by Eredi Pisano USA for the same purposes, as well as any and all internal documents generated or produced by Eredi Pisano USA, Inc. touching, concerning, or referring to the said DVD; the employment of one David Shin at Eredi Pisano USA, Inc., and/or the said photo-shoot.

c. Any other documents or items which may be disclosed through discovery that tend to shed probative light on the claims made by plaintiff in his complaint.

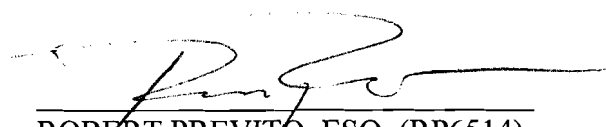
3. Pursuant to Fed. Civ. P. 26(c) , Plaintiff makes the following monetary claims:

- a. \$500,000.00 – Copyright Infringement.
- b.. \$100,000.00 – Appropriation of Services and Photographic Images.
- c. \$1,800,000.00 – Civil Fraud and Punitive Damages.

4. Plaintiff notes that under its Fourth Cause of Action, it also demands that defendant provide and finance a legal defense for, and indemnify plaintiff against, any lawsuits or claims brought against plaintiff by any third-parties as a result of defendant's use and publication of the photographic images which are the subject of this litigation.

5. Pursuant to Fed. R. Civ. P. 26(a)(1)(d) plaintiff states that it is unaware of any policy of insurance referenced in the rule which has any applicability in this action.

Dated: Suffolk County, New York  
June 18, 2008



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